

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 19, 2008**

PRESENT: TOM CLOW, CHAIRMAN; WENDY CLARK, VICE CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Harry Brown, Will Ottery, Donna Osborne, Jon Osborne, Bob Richards, Carl Knapp, Don Burke, Steve Najjar, Mike Atkinson, Ginger Esenwine, Forrest Esenwine, George Malette, Frank Campana, Sherry Burdick, Ruth Jones, Jane Snyder, Gene Propper, Paul Hague, Joe Fiala, Malcolm Wright, Terry Knowles, Betty Straw, Chuck Metcalf

7:00 p.m. Chairman Clow called the meeting to order.

PUBLIC COMMENT – Mr. Harry Brown said the Board gave a good presentation for Article 9, construction of a new Public Works facility, at the Deliberative Session complete with charts, pictures and strong evidence for the need. Mr. Brown said the presentation highlighted the unsafe working conditions that the employees are subjected to. The article failed however, and the unsafe conditions still exist. Mr. Brown would like to know what the Board has done to alleviate some of these poor working conditions. Mr. Brown asked the Board if the employees can refuse to work under those conditions without any retribution. Mr. Brown asked the Board if they have a contingency plan and mentioned that at the past few meetings they have discussed the safety of the building. Mr. Brown would like to know if the Board can confirm that none of these safety concerns put the employees or public at risk.

Chairman Clow said they have a report from a Fire Safety Engineer for the Town Office. Chairman Clow said the Building Committee has met and discussed the issues at the highway garage. Chairman Clow said they have quotes to fix the electrical issues at the Highway Garage and wants to ensure that they are working on the issue. Chairman Clow said safety is an issue but the question is where the money will come from. Mr. Brown appreciates the time put forth by the Board. Mr. Brown said the safety of the workers is a priority and feels they would be negligent for not doing anything.

Vice Chairman Clark thanked Mr. Brown for his concerns and said she struggles with the issue as well. She said it says a lot for the town employees that are there for the town. Vice Chairman Clark said she is unsure where they go now because they don't want to expend money now and then try to get approval next year to build a new facility. Vice Chairman Clark said the employees have come to them and she is aware of the conditions. Vice Chairman Clark said you cannot put a dollar figure on safety but asked where the money would come from. Mr. Brown said he is complaining because he can not just stand by. Mr. Brown said these conditions have been there much longer than the Deliberative Session. Selectman Lacasse said to answer the question of employees refusing to work. He feels they should not expect someone to work there if they felt their safety was at risk.

Mr. Steve Najjar, representing himself, commented on the issue of closing the Mt. Road and how it was being pushed. Mr. Najjar agrees PSNH needs to clarify the conditions. Mr. Najjar said there is a non resident pushing

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hard to close the road. Mr. Najjar said if you go look at any wetland crossing in the town you will find sediment concerns. Mr. Najjar feels closing the road would be access that is gone forever to the town. He is really upset that the agenda has been pushed so hard, feels a gate would not be the answer, closing the road would not be the answer. Would like the Board to look long and hard and collect data before closing the road.

Mr. Forrest Esenwine recently learned about the situation on Mt. Road and is concerned for the call for it to be closed off. He does not think closing off class 6 roads is the right thing to do and does not feel the BOS has the right to do so. Mr. Esenwine says the conservation land out there is paid for by everyone in town. If it was to be closed or discontinued then that land goes back to the landowners on either side of the road and the land would be shut off to a lot of people. Mr. Esenwine knows PSNH has made some violations but this should not be a trigger to shut the road down to the public. Mr. Esenwine urges the Board to look at the broader picture; the land is owned by the public and should not be closed off. Vice Chairman Clark said she has made it clear that she is against shutting down any class 6 roads.

Mrs. Donna Osborne said she took a leave from Cable Committee and she is now back. Mrs. Osborne said they had training but working with the equipment is a learning experience. Mrs. Osborne hopes that for the interest of the Cable Committee, they will consider the testing equipment when they vote. Mrs. Osborne said Greg Hall works with the equipment every day but everyone's level of training is different. Mrs. Osborne said they have put time and money into the cable equipment and feels the testing equipment is very important and feels it could save them money by being able to figure out problems on their own without contacting Integris.

Vice Chairman Clark commented that it seems like it was an added cost for the instruction and felt the instruction should have been included in the purchase price of the cable equipment.

DEPARTMENT HEADS – Mr. Carl Knapp commented that the Board asked him to come in and discuss his budget; he has gone through his budget thoroughly. He gave the Board a listing of items that he projects to be a problem or is already a problem. Mr. Knapp said they are already over in overtime and feels the estimated amount needed for the end of the year would be \$11,323. Mr. Knapp pointed out that in 2003 the proposed amount was \$56,327.00 for overtime the current proposed was \$46,000 and the default being \$40,000. He pointed out they went out 38 times this winter, which is above any other winter since he has been with the town.

Selectman Butt asked Mr. Knapp which items could shut down his department. Mr. Knapp said the overtime is already over spent and tires are a very big concern. Mr. Knapp said he has been asking to increase equipment maintenance for years. Selectman Butt asked how much Mr. Knapp would contribute to the winter they had. Mr. Knapp said 15-20% but these items need maintenance anyway. Mr. Knapp said they need tires and chains which are affected by the default budget. Mr. Knapp commented on shop supplies and said he combines this line with equipment maintenance. Selectman Butt asked about the overtime and said it could be a problem in November and December. Mr. Knapp said they spent \$24,000 in overtime in December last year.

Chairman Clow said the Board needs to review the budget and make a decision on how to make things work through the year. Chairman Clow said they need to make a decision to go to DRA to request spending out of the Unreserved Fund Balance. Mr. Knapp said they completely expended the salt line and they probably have enough to get through 6 storms. He would ideally like to have 10 loads at the end of November which would be approximately \$25,000. Mr. Knapp projects possibly needing \$77,540 to get through the year.

Selectman Lacasse said assuming they did not request emergency spending what would have to be done. Mr. Knapp said the Board would have to direct him on what not to do, i.e., park vehicles and not use them. Mr. Knapp said in his proposed budget for 2008 there was just enough money to make it through the year. Selectman Lacasse said what services to the public would be lost. Mr. Knapp said their vehicles would be parked and not repaired. Mr. Knapp said over the past couple of years they pretty much depleted all their supplies due to default budgets and not being able to purchase supplies.

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Vice Chairman Clark commented on the heat for the highway garage. Mr. Knapp said it was electric and now it is propane and that he expends this line from building maintenance. This was originally budgeted in the electrical line. Mr. Knapp is not concerned with this line.

Selectman Butt said Mr. Ventresco is working with DRA. Selectman Butt said the reasoning they had for the emergency request was because of the bad winter. Mr. Knapp said it can't all be contributed to the bad winter, rising energy costs are also a major concern. Chairman Clow said the Board will decide how to make their case with DRA. Selectman Butt feels they might need further information from Mr. Knapp on needing emergency funds. Chairman Clow said they will put the discussion of exactly what information they need from Mr. Knapp on a future agenda. Mr. Knapp said it is not unusual to have breakdowns on equipment in the winter, but it is unusual to be expected to repair all their vehicles on \$38,000 a year.

Selectman Lacasse asked Mr. Knapp to bring forth some solutions. Mr. Knapp said unless they want to lay people off and park vehicles there is nothing they can do. Mr. Knapp said his proposed 2008 was exactly what he needed with no extra. Vice Chairman Clark said Mr. Knapp has broken down his projections and what he is anticipating to expend is exactly what he originally requested. Chairman Clow said in the budget even though they estimated what they thought to be high, the diesel estimate was \$3.90 and now it is \$4.02. Mr. Knapp said unless a vehicle needs to be running it is not.

Mr. Will Ottery, Cable Committee mentioned the training they had last week and said it was all internal using the manuals produced. Integris did a great job on the training. He has a bill from a company who hooked up the internet and said that it was done without them knowing. Mr. Ottery said they have a bill for 6 hours to get hooked up to the internet. Mr. Ventresco said Mr. Ottery requested several times to be hooked up to the internet. Mr. Ottery said no one told them they would be coming. Mr. Ventresco said to be clear he did inform Mr. Ottery of the installation. Mr. Ottery said the problem is they had to come in and do some rework on Saturday and Sunday to correct some problems. Mr. Ottery requests that someone from the Cable Committee be present for any installation. Mr. Ottery said if they have the test equipment they could do repairs on their own. Selectman Kurk asked if the test equipment would fix the problem right now they are having with the bulletin board.

Mr. Paul Hague said he hopes the Board understands they need basic hand tools. They cannot even do basic repairs because they do not even have basic hand tools and see if their quality is good. Mr. Hague said if they have these problems right now they have to call Integris at \$75.00 and hour to repair. Mr. Hague said when he came in on Friday he couldn't even access the computer, then he found out another consultant came in to hook them up to the internet. They were in here on Saturday to get things straightened out. Mr. Hague said Rick told them apparently one of their pieces of equipment had an internet address that interfered with the Town Office Building systems. Discussion on the bulletin board not being seen, instead it was a screen saver. Chairman Clow said the main question was directed to the TTSB security tester and how it would be of use to the Cable Committee. Mr. Hague said he downloaded information on the tools and said it contains a video testing device allowing someone to do testing alone, tests levels and continuity, contains cable meter which will allow them to trouble shoot without Integris. Contains a video test pattern generator to test aspect ratio on the screen, protocol analyzer is also contained. Mr. Hague said right not they are flying blind without this testing equipment. The audio has been a major concern.

Selectman Kurk asked if they would need training for the security tester. Mr. Hague they should be able to just read the manual. Selectman Butt said it appears there has been money available in the CRF for 2 years and knows they have been requesting test equipment. Selectman Butt asked if now this request is because they feel they are ready for the equipment. Mr. Hague said they need the test equipment and tools. Selectman Butt said there was a request to broadcast from the Town Hall. Mr. Hague said they were using a camera and had problems with the camera, they did not have a problem with training, and there was no new equipment. Mr. Hague said they are not even using commercial grade equipment. Mr. Ottery said they have learned through

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utilizing the equipment and the test equipment will point them in the direction of where the equipment needs to be fixed. Mr. Hague said yes, this equipment will help them locate the problem. Mr. Hague said they may still need to go out to another source for repair if they cannot fix the problem. Selectman Kurk asked Mr. Hague if he will train other people on the equipment. Mr. Hague said they are training everyone on the committee to use the equipment.

Chairman Clow moved, Selectman Kurk seconded to authorize the Cable Committee to purchase a tool box for \$111 and \$655 for the test equipment up to an amount of \$800 with the funds to be taken from the Community Access TV Fund. Passed 5-0-0

Chief Richards said he was asked to go over his budget as well to give the Board a projected outlook for the year. He does have some lines that are overspent; floor drain at the South Station \$600 to repair, fuel at the South Station is over and the Forestry truck is also over. Chief Richards said the hose testing line was way under funded in the equipment maintenance line. Chief Richards said lines that were decreased in 2007 to make up for the raises are now overspent because of the reduction. Chief Richards said he has argued for years that the building maintenance line was way under funded to support the buildings. Selectman Butt asked about the \$24,000 difference from last years default represented. Chief Richards said fuel, \$5,000 for details, ambulance billing increase and radio maintenance contract. Selectman Kurk asked if the 2.5% wage increase for their department was in the default budget. Chief Richards said it was for 2008 but was not for 2007. It was discussed no raises were in the 2007 budget. Chief Richards said the 2.5% was in the proposed but they were told it could not be in their default. Chief Richards said they have been finding the 2.5% within their budget; this was a contractual agreement through the Fire Wards. He said the BOS never thought it was, but this year it was allowed to be in the default. Chairman Clow said apparently the Board slipped.

Chief Richards has the \$75.00 Capital Reserve request to repair dry hydrant; the Board has already approved this request.

Chairman Clow said there has been discussion with Chief Richards and PARC regarding the installation of the tower at Chase Park which is 25 ft tall and approximately 6 x 6 inches. Chief Richards said the tower will also include an anti-climb kit for \$500 at no cost to the town. Chuck Metcalf said they primary concern was the possibility of the tower being climbable and they were concerned with the structure being in the park with the kids. Mr. Metcalf said they discussed the location with Dave Hewey which was behind the gatehouse, no one was against the location but they did not get into further discussion at that point because of the climbable issue. Mr. Metcalf can't give an official vote to the Board. Chief Richards said hiding it behind the bathhouse or the gatehouse would be the best location. PARC will meet again on May 27th. Mr. Metcalf said he cannot hold another meeting this month. Chairman Clow said when the Board discussed this there was no concern with the tower being climbable and said this is a safety issue. Selectman Kurk said Selectman Butt said if PARC was to support the location of the tower behind the gatehouse then they would support it. Chairman Clow said they have given their approval once the safety aspect is worked out. Mr. Gene Proper said he was concerned with the structure being climbable and that was his only concern.

Chief Richards said they will be working with Mr. Knapp for the tower at the turn around at Dell's Way and the cistern location of Peaselee Hill Road and inside the gate or Everett Dam at Clough State Park. These towers get rid of all the dead communication areas for the Police and Fire Departments. Chief Richards said at this time the Highway Department does not have any communication issues.

MEETING MINUTES

Chairman Clow moved, Selectman Kurk seconded to accept the minutes of May 5, 2008 as amended. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to accept the minutes of May 12, 2008 as amended. Passed 5-0-0

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MANIFESTS

Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated May 22, 2008. Passed 5-0-0

Accounts payable	\$58,679.66
Gross Payrolls	<u>\$42,758.81</u>
Total	\$101,438.47

MILDRED HALL COMMITTEE – Mrs. Terry Knowles, Mildred Hall Committee, said New Hampshire is not a home rule state it is a statutory state, because when she talks about the statues it is because it is a law in New Hampshire. Mrs. Knowles said there was confusion about what the funds could be used for. Chairman Clow said that the Board had questions about the will regarding money to the Town Hall, Clinton Grove Academy (there is no academy just a building), part of the funds that the committee has control over and making recommendations. Mrs. Knowles asked if the opinions Mr. Ventresco received were from the LGC or the town's attorney. Mrs. Knowles said Mildred Hall signed her will somewhat right before she died. Mildred Hall left funds allocated for: South Weare Church \$50,000, South Weare Improvement Society \$50,000, Hillside Cemetery Association \$50,000, \$50,000 to repair to Weare Town Hall, Clinton Grove Academy and the Historical Society. Mrs. Knowles said Mildred Hall joined the Historical Society shortly before she died. Mrs. Knowles said the 3 buildings targeted were Clinton Grove Academy, Town Hall and Osborne Hall and she benefited the Historical Society. Mrs. Knowles discussed who could hold private funds. She said the BOS has been given the right to accept these gifts without town meeting, once the private funds have been received. Mrs. Knowles said Selectman cannot override the decisions of the Trustees of the Trust Fund and Selectman cannot use the funds to lower the tax rate.

Mrs. Knowles said the mailer sent out by BOS that discussed Article #13 in the 2008 Weare Town Warrant said funds would be used to repair the Town Hall roof, the article was passed and the Selectman are required to pay that money over to the Capital Reserve Fund by the end of the year. Mildred Hall was specific in where the funds went but not specific on how they would be used. Mrs. Knowles said the BOS could expend from the CRF which was approved at Town Meeting, go to Trustees of the Trust Fund, or seek determination of final decision of the Mildred Hall Bequest. She said they could ask the court to interpret the language for Clinton Grove as well and feels they should have the court make the decision. Mrs. Knowles said this is not an expensive proposition. There are probably questions on the larger pot of money as well.

Selectman Butt asked Mr. Ventresco to get copies of both the legal opinions to Mrs. Knowles. Selectman Butt said both legal opinions interpret to spend these funds it needs to go before Town Meeting. Mr. Ventresco said the legal opinion says the Board could not spend the funds without Town Meeting. Mrs. Knowles said if they have a warrant article requesting to spend the funds and the voters said no, then they would be frustrating the Mildred Hall funds. It was discussed the Judge of Probate would interpret the will. Mrs. Knowles said it is up to the BOS but feels the town would be well served to get the decision of the court. Mrs. Knowles feels Mildred Hall wanted the funds to go to the Clinton Grove Academy Building. Chairman Clow said it does make sense to go to probate court. Selectman Kurk asked Mrs. Knowles to get the paperwork for court to Mr. Ventresco. Mrs. Knowles said Selectman sometimes don't understand private money is different from public money. Mrs. Knowles said getting the court order will allow them not to be challenged by the public because there will be a court order. Selectman Butt asked if they have to specify what the funds are for. Mrs. Knowles said they have to ask what the funds are meant for. Mrs. Knowles said it would be the Trustees of the Trust Fund that would have to bring this to the court. Mr. Ventresco said he did not ask LGC what the funds could be used for he asked who could expend the funds.

Selectman Butt said he was unclear as to what their role as Selectman would be in making a recommendation for the committee to make the expenditure. Mrs. Knowles said anyone could make a request to the committee and said they thoroughly review every request. Mrs. Knowles said if they make a recommendation to the

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Mildred Hall Committee they have to vote on it. Selectman Butt said as they purchase land for conservation there may be a need to get in to the land for rescue purposes and it could cost \$15,000 for a vehicle capable to carry a stretcher and may need to be possibly patrolled by the Police Department which could cost \$20,000; Selectman Butt said this has not been discussed by the Board but is an example of what they could go to the committee for. Selectman Butt said there are buildings in town that are in desperate need of repair. Mrs. Knowles said generally a philosophy of the committee would be anything that should be the responsibility of the taxpayers would not be something they would approve. Selectman Butt said there was \$700,000 to help taxpayers not take the burden of that purchase. Mrs. Knowles said some towns will not purchase conservation land and conservation land purchase is not a taxpayer obligation. Mrs. Knowles said all of their meetings are public and they give copies of their minutes to the BOS. There is approximately \$900,000 left in the Mildred Hall Fund.

Mrs. Knowles mentioned the Savaria Property and said Mr. Savaria owns the parcel of property which actually belongs to the Town of Weare through the Mildred Hall Estate. Mr. Savaria's attorney wrote to them in August and stated that his client indeed felt he purchased the property. Mrs. Knowles said indeed he did not own the land and said there is a tremendous addition being built on to the house and it is on the property owned by the Mildred Hall Trust. Mr. Ventresco said he called after the Board brought it up and the attorney said they were going to ask the town if they would sell the property at a lower price. Mrs. Knowles said in December 2007 the property was appraised at \$19,000. Mr. Ventresco said the letter is requesting the Board lower the purchase price of the land. The question is how they got a building permit. Mrs. Knowles asked if the BOS is entertaining the letter from the attorney. Mrs. Knowles recommends the Board tell the Savaria's to get their certified appraisal done on the property by an independent appraiser. Mrs. Knowles said it has been over 2 years since the Board authorized the purchase and said this needs to be moved on. Mrs. Knowles said Mr. Chip Meany is going to be in a position to have to offer a permit to occupy when the land is owned by the homeowner. Mrs. Knowles said the purchase price of \$19,000 would go back into the Mildred Hall Fund. Mrs. Knowles said there might be room to negotiate the price. Chairman Clow questions the process itself and asked if the Board can make the decision on the purchase price. Mrs. Knowles said the BOS has to sign the deed, she recommends they have a meeting between the BOS and the Mildred Hall Committee on a strategy.

Mrs. Knowles said generally speaking the money the Trustees of the Trust Fund hold is for use for things that tax payers are not obligated to.

It was discussed if a cease and desists be authorized. Mr. Ventresco said none of this information has gone to an attorney. Mrs. Knowles said they could discuss legal fees being paid by the committee. Chairman Clow said Mrs. Knowles is requesting a letter go to the Savaria's asking them to provide certified appraisal within so much time.

Chairman Clow moved, Vice Chairman Clark seconded to enter into non public session at 9:08 p.m. under RSA 91-A:3 II (a & c). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Park and Recreation Commission members Chuck Metcalf and Gene Proper presented PARC's recommendation for the Coordinator job search and their annual summer hiring for Chase Park.

Mr. Metcalf announced that they initially received three applications for the PARC Coordinator position, but one withdrew; thus they had two to choose from, who they interviewed last week, along with the Town Administrator. Although Mr. Metcalf said that there was a lot of debate among PARC Members, they ended up voting 4-0 to recommend Mike Houseman to be the new Coordinator. Mr. Housman has extensive experience and a degree in the recreation field and currently works full-time for the State in the recreation department for Department of Resources and Economics.

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There was question as to Mr. Housman's availability during the day since he works full-time and had said during the interview that he really would not be available during the days. However, it was pointed out that availability was not one of the explicit criteria in the advertisement or job description for the position. The PARC Members said that they are hopeful that Mr. Housman can bring some much-needed assistance applying for grants, among other things.

Mr. Ventresco explained why he considers availability important for the position, saying that this is why he currently has to rely on Public Works Director Carl Knapp to do many of the non-routine tasks that come up during the day for PARC areas, but he also said that since this was not a requirement in the job description he recommended to PARC while considering the interviews that they should not weigh this highly, if at all, as qualification for the job.

Chairman Clow moved, Vice Chairman Clark seconded to come out of non public session at 9:53 p.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to hire employees recommended by PARC; () at \$7.70/per hr, (6 new) at \$7.00/per hr and 3 alternates for 1 shift a week at \$7.00/per hr. Passed 5-0-0

Vice Chairman Clark moved, Selectman Butt seconded to hire Mike Housman at \$5,000 per year stipend for the PARC Director at the request of PARC. Passed 3-1-1

BUILDING COMMITTEE – Town Hall Roof Bid Recommendation – Mr. Joe Fiala informed the Board he is bringing forth a recommendation for estimates for the Town Hall roof replacement. He said they received 4 bids; the primary recommendation for \$21,650 from Fiorer Construction. Mr. Fiala said Fiorer Construction provided a complete bid containing all the necessary information and the price was good. The committee's second choice would be Interior Weatherproofing for \$18,375; there was one error in the bid and they did not address the bid specifically. Selectman Butt said the specs he saw were very specific and is concerned with the bid from Interior Weatherproofing. Mr. Malette said their specs did not match 100% to their specifications. Mr. Malette said Interior Weatherproofing was their second choice only if the first choice fell through. Chairman Clow commented on DES letter concerning asbestos content in the shingles, not sure if there was anything in the bid specs. Mr. Malette said he found out about this information after their meeting. DES requires inspection for asbestos which will affect this and the shingles will have to be tested and they cannot move forward until this is confirmed. Chairman Clow asked if this would increase the cost substantially if asbestos was found. Mr. Malette said it would because of disposal. Selectman Butt asked if the Code Enforcement Officer was forwarded all information. Mr. Malette said they cc all information to him; he was on the committee and then removed himself. Mr. Ventresco said projects really need to be written by a qualified engineer with a complete project. Selectman Butt said because there are time constraints on the process do they suggest they should not go through the process of awarding the bid until they know if there is asbestos. Mr. Ventresco said he has an estimate for \$421 to test the shingles. The shingles are from 1985. Chairman Clow suggests they accept the bid. Selectman Butt is concerned with violating the bid specifications. Selectman Lacasse said if asbestos was found the contractor that placed the bid will need to be informed to change the bid.

Selectman Butt asked the committee if they had a recommendation. Mr. Malette said the committee did not have this information when they discussed the bid recommendations. Mr. Ventresco feels they may want to wait until after the testing of asbestos is complete. Mr. Malette said there was only one contractor who met all the specifications in the bid. Selectman Butt asked about the asbestos in the horse shed. Selectman Butt asked about that company doing the testing on the shingles. Mr. Ventresco said that has been discussed. Vice Chairman Clark is concerned why this is coming up at the last minute. Mr. Ventresco said the person who was doing the estimate on the asbestos testing of the horse shed mentioned they need to have testing done on the roof shingles on the Town Hall as well, that is how this information came about. Mr. Ventresco will contact the certified tester tomorrow.

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CHARGE AND COMPOSITION OF BUILDING COMMITTEE – Chairman Clow said they received a draft from the Building Committee of recommended changes for the charge of the Building Committee. The charge would be as follows:

The Weare Building Committee is established to assess the short term and long term building needs of the Town of Weare and to make recommendations to the Board of Selectmen on how best to meet those needs. Such assessments may lead to recommendations on the maintenance, repair, or renovation of present town buildings as well as recommendations for additional space and building replacement.

The Building Committee will be composed of five (5) members, of which one may be a Selectman and up to five (5) alternates. It is valuable to have members with building knowledge as well as members of varied experience; all committed to the purpose of the Building Committee.

Vice Chairman Clark feels the charge should somehow state to benefit the community. Selectman Butt feels it applies it is optional to have a Selectman on the committee and said the committee is created by the BOS and he feels there should be a representative of the BOS on the committee. Vice Chairman Clark does not feel any member of the Board of Selectman should sit on any other board or committee. Mr. Fiala said there is always a space for a Selectman on a committee.

Selectman Butt feels the situation with the asbestos shingles may have been avoided if the Code Enforcement Officer was informed. Mr. Fiala said the Code Enforcement Officer was informed. Chairman Clow said if they want to specify that all bids go through the Code Enforcement Officer that is not the committee's charge it is their process. Vice Chairman Clark said that should become part of the Code Enforcement Officer's job description. Selectman Butt said someone who has technical background would be appropriate on that committee.

Chairman Clow feels they could remove the word maintenance from the charge of the Building Committee. Selectman Kurk asked him to explain what he means by maintenance. Mr. Malette said that was in there because it was general in nature. Vice Chairman Clark said they have someone on staff that does maintenance. Mr. Malette asked how detailed or specific do they want the charge of the committee to be. Mr. Ventresco said Malcolm Wright works 16 hours per week, which is mainly at the Town Office Building. Mr. Ventresco said they have discussed the possible need of making that position 30 or more hours per week. Mr. Malette mentioned ex-officio and if the seat is left empty it cannot be filled by a member of the community.

Mr. Malcolm Wright said that back in 2004 he was hired as custodial/maintenance and was asked to create a maintenance master plan, he compiled a to do list and made recommendations. He recommended getting a committee together based on use needs, back in 2006 they had a town's committee based on use needs, he feels this committee cannot do all this work on a use needs level and that is what the committee needs to be doing. Selectman Lacasse asked the difference between the use needs and building needs. Mr. Wright said it is a very general term and asks they break down the wording, feels the committee would be more useful if they didn't limit the charge. Chairman Clow said they waited until the committee had the chance to review the charge. Mr. Wright just feels they are not going in the right direction and are not addressing use needs. Selectman Butt would rather have the option of appointing someone rather than choosing a Board member. It was discussed the BOS appoints full members. Selectman Butt wants it to read Selectman, if so appointed by the Board. Selectman Kurk said all appointments should be made after the March vote in April every year. Selectman Butt asked how they control the mix. Mr. Fiala said one board that really needs the mix would be the Planning Board. Selectman Butt is saying with building knowledge they need to go through a screening process. Chairman Clow said they receive volunteer forms for all committees, they can appoint them if they choose. The Board is comfortable with leaving the word maintenance in. Mr. Fiala is asking if they are saying have a 4 person committee and a Selectman. Selectman Lacasse is fine with the wording. Vice Chairman Clark feels no member of the BOS should be on any board. Sherry Burdick feels a Selectman should sit on every board. The Board decided to end the charge at varied experience.

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Selectman Lacasse moved, Selectman Kurk seconded to accept the recommended changes for the charge of the Building Committee. Passed 5-0-0

Mr. Fiala said now that they have a five member committee they would like to recommend that Sherry Burdick become a full member instead of an alternate member.

Selectman Kurk moved, Selectman Lacasse seconded to appoint Sherry Burdick as a full member of the Building Committee. Passed 5-0-0

PURCHASING POLICY – Chairman Clow asked Mr. Ventresco if he received any feedback from department heads on the purchasing policy. Mr. Ventresco said no.

MUTUAL AID AGREEMENT WITH GOFFSTOWN TO SHARE CODE OFFICER – Mr. Ventresco said they received a request from Goffstown asking if Weare would be interested in a mutual aid agreement with the Code Officer. Mr. Ventresco said Mr. Chip Meany said he would be on call if the Goffstown Code Officer was not available and Goffstown had a need for a Code Officer. Selectman Kurk said they already have the agreement signed. Mr. Ventresco said Goffstown already spoke with Mr. Meany.

Chairman Clow moved, Selectman Kurk seconded to share a Code Officer under the current mutual aid with Goffstown. Passed 5-0-0

POLITICAL ACTIVITY ON TOWN PROPERTY – Selectman Lacasse said he learned that you are not able to stand on town property to gather signatures for a petition. He asked Mr. Ventresco if this was local or state mandated. Mr. Ventresco said he spoke with LGC and was informed there is no ordinance that limits this in the state. Mr. Ventresco said they do have a signed ordinance in the town. Selectman Kurk said many years ago people were politicianing down at the Transfer Station and there were safety concerns brought forth at the time by Mr. Knapp. Mr. Ventresco said you are not allowed to put stickers on town property but anyone standing holding a sign or handing out pamphlets is allowed in the State of NH. Chairman Clow said there is no state law or local ordinance that prohibits political activity on town property. Selectman Kurk asked how they would deal with Mr. Knapp's safety concern at the Transfer Station. Mr. Ventresco said he would speak with Mr. Knapp.

ADMINISTRATIVE REPORT – Mr. Ventresco informed the Board they received \$30,000 from Comcast. Selectman Kurk asked Mr. Ventresco if he asked Comcast about the increase on resident's bills. Mr. Ventresco said he emailed and asked about the increase. It was discussed the Cable Committee has already made a recommendation towards the schools request for funding; this will be put on the next agenda.

Mr. Ventresco asked about the Board meeting with PSNH this week. The Board discussed Friday at 1:00 to meet with PSNH and do the walk through on Mt. Road. Mr. Ventresco will post this meeting.

Mr. Ventresco said Primex will be coming on June 2 to review the personnel policy with the Board. Chairman Clow feels they should scheduling a meeting with Primex on an off schedule week instead of a regularly scheduled meeting.

Mr. Ventresco checked out PARC and there is nothing on file that states that a Board member has to sit on PARC. Vice Chairman Clark said she would volunteer to sit on PARC.

Chairman Clow moved, Selectman Kurk seconded to appoint Vice Chairman Clark to sit on PARC. Passed 5-0-0

Mr. Wright said he did not come to the meeting to speak and appreciated the Board's patience.

Mr. Malette said the Heritage Committee is still in need of a BOS member.

Mr. Malette said Don Burke had the inmates do the clearing/cutting at the horse shed. Mr. Malette feels there needs to be plans before that go before the BOS before work is done.

FINAL

Mr. Malette discussed the 2000 Fire Marshalls Report regarding the fire escape. Mr. Malette said they should consider the option of the back stairs going up another level instead of the fire escape being built. Mr. Malette said they could have an engineer give them a price on the back stairway.

The Board discussed having a scaled drawing created of the Town Office Building; Selectman Lacasse said he will do this. Mr. Malette said they should the electrical outlets and switches and which breaker they are connected to in the graph as well. Chairman Clow said maybe they can negotiate the deadlines. Selectman Lacasse commented on the deadlines being unreasonable. Mr. Malette said he will compile a listing of what outlets and switches go to which breakers and then get it approved before labeling the electrical panel.

Selectman Kurk said on June 2 DRA will be coming before the Board. Selectman Kurk thinks they need to have Bill Drescher in because the town has been out of compliance for many years.

The Board discussed Donna Osborne is currently an alternate member of the Cable Committee and agreed to appoint her as a full member of the Cable Committee.

Chairman Clow said they received a volunteer form from Meg Malette to volunteer for the Heritage Commission. The Board discussed having a wife and husband on the same committee. Vice Chairman Clark has an issue with it. Mr. Malette said she would be an alternate not a voting member.

Chairman Clow moved, Selectman Lacasse seconded to appoint Meg Malette to the Heritage Commission. Passed 4-1-0

Chairman Clow handed out information for the Board to review and discuss at a future meeting regarding email practices for town business.

Chairman Clow moved, Selectman Kurk seconded to enter into non public session at 11:34 p.m. under RSA 91-A:3 II (a) &(c). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0.

The Board considered a request by the Police Union and Officer Joseph Kelley to unseal the minutes of the May 12, 2008, Board Meeting with Chief Begin.

Chairman Clow moved, Vice Chairman Clark seconded to come out of non public session at 11:40 p.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Selectman Kurk moved, Selectman Lacasse seconded to unseal the nonpublic meeting minutes of May 12, 2008. Passed 5-0-0

Vice Chairman Clark moved, Chairman Clow seconded to enter into non public session at 11:41 p.m. under RSA 91-A:3 II (c). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Vice Chairman Clark seconded to come out of non public session at 11:48 p.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Vice Chairman Clark seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

Chairman Clow moved, Selectman Kurk seconded to enter into non public session at 11:49 p.m. under RSA 91-A:3 II (e). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Vice Chairman Clark seconded to come out of non public session at 12:01 a.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

FINAL

Chairman Clow moved, Vice Chairman Clark seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary